

## REMARKS

This amendment responds to the final office action mailed June 26 2008. In the final office action the Examiner:

- rejected claims 45-53, 56-58, 61-64, 67-73, 76-78 and 81 under 35 U.S.C. 102(b) as anticipated by Kennedy (US 6,330,589); and
- rejected claims 54, 55, 65, 66, 74 and 75 under 35 U.S.C. 103(a) as being unpatentable over Kennedy (US 6,330,589, hereinafter “Kennedy”) in view of Comer et al. (“Conversation-Based Mail,” hereinafter “Comer”).

Pending claims include: 45-58, 61-78, 81.

### Amendments to Specification

Changes to the specification are made to conform text to reference numbers of figures and other informalities identified by the Examiner in another application (having at least some of the same text and figures).

The change to paragraph 0054 conforms to the use of a trademark. (See MPEP § 608.01(v))

Reference numbers in some of the figures were identified as not appearing in the specification text. Therefore, changes to paragraphs 0062, 0065, 0066, 0072, 0076, 0077, 0080, 00102, 00116, and 00152 conform text to reference numbers in Figures 5A, 6A, 6D, 7B, 7C, 9B, 12, and 15.

The changes to paragraphs 0098 and 00101 are made to correct informalities.

The changes to paragraph 00143 are supported by Fig. 19. Furthermore, it is well known that the terms “computer readable storage medium” and “memory” or “memory device” are often used interchangeably.

No new matter has been added by the changes described above.

### Amendments to Claims

Claims 45, 49, 50, 61, 68, 70, 77, and 81 are amended. Support for these changes in the claims is found at least in Figures 3B and 15 and ¶¶ 0046, 0057, 0113 and 0123-0126 of the application as filed. No new matter has been added.

*Claim Rejections Under 35 USC §102(b)*

The Examiner rejected claims 45-53, 56-58, 61-64, 67-73, 76-78 and 81 under 35 U.S.C. 102(b) as being anticipated by Kennedy. For a proper showing that Kennedy anticipates these claims, Kennedy must disclose all elements of each rejected claim. (See, MPEP §2131.)

Amended claim 45 states:

A method for searching messages in a conversation-based message system, comprising:

at a client:

**in response to receiving a query from a requestor,  
the query having one or more query terms:**

**transmitting the query over a network to a  
conversation management system;**

**receiving from the conversation  
management system a list of conversations that match the  
one or more query terms**, each of the conversations in the  
list having a respective conversation identifier, and wherein  
each conversation comprises one or more messages sharing a  
common set of characteristics that meet first predefined  
criteria **and at least one conversation in the list of  
conversations comprises a plurality of messages;** and  
presenting at least a portion of the list of  
conversations to the requestor.

(emphasis added)

Kennedy's client database for managing conversation threads is structurally different from the conversation management system of the pending claims. Kennedy does not teach, in particular, "receiving a query from a requestor, the query having one or more query terms" or "transmitting the query over a network" or "receiving from the conversation management system a list of conversations...and at least one conversation...comprises a plurality of messages."

**Kennedy does not Teach Receiving a Query from a Requestor**

Kennedy does not teach "receiving a query from a requestor" as required by claim 45. An Advisory Action dated September 10, 2008 incorrectly analogizes "receiving a query from a requestor" to "enter[ing] commands and information into [a] client through a keyboard and pointing device, such as a mouse." (See Advisory Action, p. 2, citing Kennedy, col. 7, lns 29-31.) Examiner argues that "entering commands and information

into the client” can be broadly interpreted as “receiving a query from a requestor.” Examiner is respectfully requested to construe the term "query" in accordance with its plain and ordinary meaning in the field of search engines, as required by MPEP §2111.01(III). For example, a "query" is not the same as a “command” entered into a computer using a keyboard or mouse. A “query” is a request, for example made to a search engine, and includes one or more query terms used to find things having content matched to the one or more terms. (See ¶¶ 0057, 0113 and 0114 in the application as filed.) In contrast, a “command or information” entered into the client using a keyboard or mouse relates more particularly to a directive for a client device to perform a specific task. A person of ordinary skill in the field of search engines would not equate a “command or information” (entered into a computer using a mouse or keyboard) as being the same as a received “query,” for example by a search engine, used to match to content in, for example, a database. As explained in previous responses, there is simply no teaching of a search or query being received or requested by a requestor at all in Kennedy. Therefore, since Kennedy does not teach “receiving a query from a requestor,” Kennedy does not anticipate amended claim 45.

#### **Kennedy does not Teach Receiving a List of Conversations Over a Network**

As amended, claim 45 now explicitly requires that the transmitting, receiving and presenting operation of claim 45 all occur in response to “receiving a query from a requestor.”

Kennedy describes a client database system for managing conversation threads, but that system does not include receiving “a list of conversations that match the query” over a network from a conversation management system “in response to receiving a query from a requestor.” In Kennedy, messages are received in response to an update command. The information received does not include a list of conversations. Instead, conversations are identified or formed at the client. The server in Kennedy does not identify conversations and does not send a list of conversations in response to a command. Thus, Kennedy does not satisfy the “receiving ... list of conversations” requirement of claim 45.

In addition, the command to the server in Kennedy does not include query terms and the messages returned to the requesting client are not messages that match the query terms of a query sent by a requestor. Rather, in Kennedy, the messages sent are simply all

messages that have been identified as not yet being stored at the client. Thus, Kennedy does not satisfy the “match the one or more query terms” requirement of revised claim 45.

Kennedy teaches a “message manager program module,” which unlike the conversation management system, is stored at the client and manages email messages after they have been download. The message manager program module receives incoming messages from a server for the purpose of updating messages stored at the client, and only formats stored messages into MAPI compatible conversation threads. (See Kennedy, Figure 3, col. 5, lns 11-20.) All conversation threads are constructed at the client after the messages have been received. (See also, Kennedy, col. 8, lns 33-67 and col. 9, lns 34-44.) Therefore, Kennedy’s system only supports client-based message systems and teaches generating conversation threading only after messages have been received at the client. For at least these reasons, Kennedy does not teach a message managing system other than one that is stored at the client, and therefore does not anticipate amended claim 45.

**Kennedy does not Teach at Least One Conversation Comprising a Plurality of Messages**

Kennedy also does not teach receiving from the conversation management system “a list of conversations that match the one or more query terms” where “at least one conversation in the list of conversations comprises a plurality of messages.” As explained above, the messages in Kennedy are first downloaded and stored at the client, and messages are assigned to conversation threads at the client only after they are received from the server. (See Kennedy, col. 9, lns 34-44.) Therefore, Kennedy does not teach receiving the list of conversations “from the conversation management system” and that “at least one conversation...compris[es] a plurality of messages.”

For at least the reasons explained above, Kennedy does not disclose all limitations of amended claim 45. Therefore, amended claim 45 and its dependent claims are patentable over the cited prior art. Amended claims 49, 50, 61, 68, 70, 77, and 81, and their dependent claims, are also patentable over the cited references for at least the same reasons.

**Claim Rejections Under 35 USC §103**

Dependent claims 54, 55, 65, 66, 74 and 75 are patentable over the cited references of record for at least the same reasons as their respective parent claims. The Office Action cites Kennedy in view of Comer against one or more of the dependent claims referenced

above. As stated above, Kennedy does not disclose any of the limitations of the above pending claims. Comer is cited in combination with Kennedy only with respect to features of dependent claims 54, 55, 65, 66, 74 and 75. Comer does not disclose any of the claim limitations of the independent claims that are analyzed in detail above, and has not been cited as having disclosed any of those claim limitations. Therefore, for the purposes of this response, the patentability of dependent claims 54, 55, 65, 66, 74 and 75 over the cited references is based entirely on the patentability of their respective parent claims. Examiner is respectfully requested to withdraw the rejection of dependent claims 54, 55, 65, 66, 74 and 75 under 35 USC § 103.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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